

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5678-2021 (O&M)

Date of decision: 16.03.2021

Sunny Mota

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Arun Sharma, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.251 dated 19.11.2020 under Sections 307, 342, 323, 148, 149 IPC, registered at Police Station Canal Colony, District Bathinda.

While granting interim bail to the petitioner, following order was passed by this Court on 08.02.2021: -

“...Counsel for the petitioner has relied upon the order dated 07.01.2021, vide which the co-accused of the petitioner namely Arun Kumar, was granted the concession of interim anticipatory bail, which reads as under: -

“Learned counsel for the petitioner submits that as per the allegations in the FIR, the petitioner is referred to as Billa,

whereas, his nick name is not Billa. Further allegations in the FIR against Billa are that he gave a blow on the left arm of victim Vijay Kumar with the handle of a hand pump.

Learned counsel further submits that injury invoking Section 307 IPC is attributed to co-accused who has caused injury on the head of the victim.

Learned counsel for the petitioner further submits that he has instructions to say that petitioner is ready to deposit an amount of Rs.25,000/- with the Illaqua Magistrate within a period of 30 days from today towards the medical expenses of the victim, without prejudice to his right of defence.

Notice of motion for 16.03.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

However, this order will be subject to a condition that petitioner will deposit an amount of Rs. 25,000/- with the Illaqua Magistrate within a period of 30 days from today towards the medical expenses of the victim, without any prejudice to his right of defence.”

Counsel for the petitioner has also submitted that even against the petitioner, there is no allegation of causing grievous injury and the petitioner is also ready to deposit Rs.25,000/- with the Illaqa Magistrate within a period of 30 days from today, towards the medical expenses of the victim, without prejudice to his right of defence...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation and has also deposited the amount of Rs.25,000/- with the Illaqa Magistrate, as directed by this Court vide order dated 08.02.2021.

Learned State counsel, on instructions from SI Satpal Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 08.02.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

16.03.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No